

REMARKS

Claims 1, 3-12, and 14-33 are pending in the application.

Reconsideration of the outstanding rejections in the present application are requested based on the following remarks.¹

A. The Rejection of Claims 1, 3-12, 14-20, and 24-33 under 35 U.S.C. §103(a)

Claims 1, 3-12, 14-20, and 24-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,137,006 to Grandcolas *et al.* ("Grandcolas") in view of U.S. Patent 5,987,454 to Hobbs. This rejection is respectfully traversed.

As recited in Section 2142 of the MPEP, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 2 USPQ2d 1438 (Fed. Cir. 1991).

On various grounds, as set forth below, Applicant submits that the Office Action fails to establish the requisite *prima facie* case.

¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

The Office Action maintains the assertions, as now set forth on page 3, lines 13-17, that Grandcolas teaches:

a validation module operatively linked to the universal session manager through an electronic network; such that the universal session manager retrieves validation information from the validation database in order to validate a customer (i.e., constructing an authentication token comprising profile data associated with the user, see col. 2 lines 51-53, also see col. 4 lines 30-40);

Applicant submits that Grandcolas teaches the utilization of a **token** that is forwarded to the user. Further, in column 2, lines 47-60, Grandcolas teaches that the user is **redirected** to the second server. Applicant submits that given such redirecting of the user, and use of a token, as performed in the processing of Grandcolas, the one of ordinary skill in the art would not have been led modify such teachings (of Grandcolas) based on Hobbs. By redirecting the user, the user is by definition no longer on the site of the “first server” of Grandcolas. Accordingly, the proposed modification of Grandcolas with the teachings of Hobbs, so as to provide multiple frames would so fundamentally change the teachings of Grandcolas, such that it would not have been obvious to do such modification.

Such argument was asserted in Applicant’s prior response. However, the present Office Action does not appear to address such argument in any substantive manner. Applicant notes remarks in the “Response to Arguments.” That is, on page 10, the Office Action asserts:

... The applicant argues in substance that the office action fails to establish a prima facie case of obviousness in combining the primary reference, Grandcolas, with the secondary reference, Hobbs. Contrary to the applicant’s assertion, the examiner contends that one of ordinary skill in the art would have been motivated to combine the teachings of Grandcolas and Hobbs in order to permit network users to have access to a large number of electronic database providers without being limited to a particular proprietary graphical user interface (GUI), entering passwords or billing information or being trained to use the query models for each Data Warehouse - this motivation can be found on col. 9 lines 20-29 of Hobbs.

Applicant notes that MPEP 707.07(f) “Answer All Material Traversed” instructs the Examiner to clearly explain the Examiner’s reasoning when responding to a traversal: “In order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.” The same section of the MPEP specifies the form of such an explanation: “The examiner must address all arguments which have not already been responded to in the statement of the rejection[2]...In bracket [2], *provide explanation as to non-persuasiveness.*” Therefore, entirely ignoring the arguments presented in traversal, or merely stating that the arguments are not persuasive, is not an adequate response to Applicant’s traversal. These guidelines for responses to Applicant’s arguments should be taken into consideration in many of the following discussions.

Applicant respectfully submits that such guidelines have not been satisfied by the present Office Action. Applicant’s arguments, as set forth above and in the prior response, go to the incompatibility of the applied art, and more particularly, to the incompatibility of the authentication tokens used by Grandcolas and the multiple frames, as taught by Hobbs. The comments in the Office Action simply do not address such deficiency of the 35 U.S.C. 103 rejection. Rather, the comments in the Office Action, in a conclusory manner, assert that Applicant’s arguments are unpersuasive, and thereafter propose a new “motivation to combine.” However, the new motivation to combine simply does not address the “incompatibility” arguments, as discussed above.

Further, and related to the above arguments, the Office Action’s reliance on Grandcolas’ teachings of a token (Office Action, page 3 at line 16), in conjunction with Hobbs’ teachings of

multiple frames is deficient in other respects. The token of Grandcolas allows the redirecting of the user's web browser to a second web server using the token (e.g. see Grandcolas in column 2, lines 15-46). However, the teachings of Hobbs (and those teachings relied upon in the Office Action) relate to the simultaneous connection with multiple servers (e.g. see Hobbs in column 11, lines 4-19). Thus, in addition to the motivation deficiencies, as described herein, Applicant submits that such two respective relied upon features of Grandcolas and Hobbs are **mutually exclusive**. That is, Applicant submits that such two features are simply not usable together in that there cannot be a redirecting to another site (Grandcolas) while providing simultaneous connection (Hobbs), in particular as contemplated in the 35 U.S.C. 103 rejection.

As discussed above, under 35 U.S.C. 103 the prior art reference (or references when combined) must teach or suggest all the claim limitations. Applicant submits that the rejection fails to assert such. That is, on page 3, lines 1-13, the Office Action clearly relies on a Grandcolas' first web server to constitute both the claimed "host server" and the claimed "universal session manager". Accordingly, Applicant submits that the proffered combination fails to satisfy 35 U.S.C. 103 - in that it fails to teach each and every claim limitation. Rather, it appears that since the applied art fails to teach such features (the claimed "host server" and the claimed "universal session manager"), the Office Action merely asserts that the one first web server of Grandcolas teaches both. Such inappropriately minimizes Applicant's claimed invention and cannot sustain the 35 U.S.C. 103 rejection.

Further, the present Office Action has set forth a new motivation to support the alleged combination of applied art. On page 4, lines 12-15, the Office Action asserts:

... it would have been obvious to one of ordinary skill in the art to combine the teachings of Grandcolas and Hobbs to permit network users to have access to a large number of electronic database providers without being limited to a particular proprietary graphical

user interface (GUI), entering passwords or billing information or being trained to use the query models for each Data Warehouse.

Such motivation is deficient. As to the motivation of “permit network users to have access to a large number of electronic database providers without being limited to a particular proprietary graphical user interface (GUI), entering passwords or billing information”, Applicant submits that such motivation does not support the rejection in that Grandcolas already teaches such features. That is, it would not have been obvious to modify Grandcolas based on motivation to include features, where Grandcolas already includes such features.

Further, as to the motivation of “permit network users to have access to a large number of electronic database providers without ... being trained to use the query models for each Data Warehouse”, Applicant submits that it is fully unclear how the proposed combination would even provide such benefit.

As a further note, Applicant asserts that claim 1 does not simply set forth the general concept of using a first frame and a second frame. Rather, claim 1 of the present application sets forth various particulars of such displayed frames, e.g., “providing links to the accounts in a first frame of the interface” and “provides access to the remote server, by hosting the remote server in a second frame of the interface.” Hand in hand with such features, claim 1 recites an interrelationship of such utilization of multiple frames vis-à-vis the processing of the universal session manager and the validation module.

For at least these above reasons, claim 1 is not taught or suggested by the applied art. Applicant submits that claim 12 is allowable for similar reasons. The dependent claims are allowable at least for the reasons set forth above, as well as for the additional features such

dependent claims recite.

In particular, claim 32 recites:

32. (Previously presented) The method of claim 12, the first frame is maintained by the host server, and the second frame is maintained by a remote server providing services; and

wherein the transmitting said data to the at least one remote server includes the host server directly sending login information to the at least one remote server, the login information including a customer username and password.

Such claim was amended in Applicant's prior response to further define Applicant's claimed invention. The rejection of such claim is presented on pages 7-8 of the Office Action. However, Applicant submits that the arrangement set forth in the Office Action (to allegedly reject claim 32) is simply mutually exclusive to the utilization of Grandcolas' token, which is indeed relied upon in the rejection (see Office Action on page 3, line 16). Clarification is appropriate.

Withdrawal of the rejection under 35 U.S.C. 103 is requested.

B. The Rejection of Claims 21-24 under 35 U.S.C. §103

Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Grandcolas in view Hobbs, as applied to claim 12 above, and further in view of U.S. Patent 5,815,665 to Teper *et al.* ("Teper").

Since claims 21-24 are dependent on allowable independent claim 12, and since Teper does not cure the deficiencies of the combination of Grandcolas and Hobbs, claims 21-24 are allowable as well. Therefore, the undersigned representative will not address the arguments with respect to these claims and reserves the right to address these arguments at a later time.

Withdrawal of the rejection of claims 21-24 is requested.

C. Conclusion

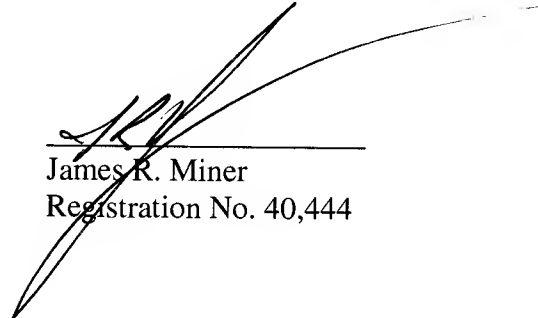
The foregoing is submitted as a full and complete Response to the Office Action, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or if there are any other issues which may be resolved by telephone interview, a telephone call to the undersigned attorney at (703)714-7448 is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0206, and please credit any excess fees to such deposit account.

Respectfully submitted,

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